

AMENDMENTS TO THE DRAWINGS

Please amend Figure 7 as shown in the enclosed replacement sheet. The label "Prior Art" has been added to the figure.

REMARKS

Please reconsider the present application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-5 are pending in this application. Of these, claims 1 and 2 are independent. The remaining claims are directly dependent on claim 2.

Claim Amendments

By way of this reply, claims 1 and 2 have been amended to clarify the claimed invention. No new matter has been added by way of these amendments. Support for these amendments may be found, for example, in Figure 6 and in paragraphs [0044]-[0045] of the published application.

Drawings

Figure 7 is required to be designated by a legend such as "Prior Art" because only that which is old is illustrated. Applicant admits that Figure 7. Accordingly, by way of this reply, the drawings have been appropriately amended to designate Figure 7 with a "Prior Art" label.

Rejection under 35 U.S.C. § 103

Claims 1-5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2005/0152686 ("Takashimizu") in view of U.S. Patent No. 5,566,906 ("Lett") and U.S. Patent No. 5,592,551 ("Goldstein"). As discussed above, by way of this reply, independent claims 1 and 2 have been amended to clarify the claimed invention. To the extent that this rejection may still apply to amended claim 1, the rejection is respectfully traversed for the reasons set forth below.

One or more embodiments of the claimed invention are directed to a recording function of digital broadcast receiving and recording apparatus, and more specifically directed to an improvement of a so-called time shift recording function. The time shift recording can be used to record, for example, only a part of an entire broadcasting program that the user is actually viewing, for user's convenience. However, in conventional digital broadcast receiving and recording apparatus, if a user changes a channel for some reason in the middle of the time shift recording, the target channel for recording is also changed with or without the user's intention. As a result, it had often happened that an undesired program was recorded between the programs the user actually desired to record, and it was unexpectedly annoying to the user. One or more embodiments of the claimed invention employs control logic of a digital broadcast receiving and recording apparatus so as to automatically prevent that an undesired channel is accidentally recorded, even if the user changes the channel in the middle of the time shift recording.

Accordingly, amended independent claims 1 and 2 require, in part, "a control section adapted to control the recording section to start recording the selected channel according to an operation for selecting a channel by a user, and wherein *if the selected channel is not*

included in the favorite channel map, the control section does not start recording the selected channel against the operation to the apparatus by a user except the selected channel is not changed over a predetermined time from a time selected." Applying this control logic for the time shift recording function, the claimed invention can improve usability of the apparatus for auditing and recording digital broadcast programs.

In contrast, Takashimizu discloses a digital broadcast receiving and recording apparatus. However, as the Examiner acknowledges, Takashimizu does not show or suggest any elements for controlling a program-recording function based on a the favorite channel map, in particular to automatically prevent that an undesired channel is recorded, as the control section required by claims 1 and 2. Accordingly, Takashimizu does not teach or suggest, either impliedly or expressly, at least the above-described feature recited in claims 1 and 2.

Lett discloses a subscription television system for editing and displaying an electronic guide data on a screen. However, Lett does not show or suggest any elements for controlling a program-recording function based on a the favorite channel map, in particular to automatically prevent that an undesired channel is recorded, as the control section required by claims 1 and 2. Accordingly, Lett does not teach or suggest, either impliedly or expressly, at least the above-described feature recited in claims 1 and 2.

Goldstein discloses a universal control device having a function to schedule recording a user's favorite channel. However, Goldstein's device does not include any functionality to anything for preventing that an undesired channel is accidentally recorded as the control section of the claimed invention does. In other words, Goldstein fails to teach or suggest, either impliedly or expressly, at least the above-described feature of the control section required by claims 1 and 2.


In view of the above, independent claims 1 and 2 are patentable over Takashimizu, Lett, and Goldstein because, whether considered separately or in combination, the references fail to teach or suggest all of the limitation of the claims. By virtue of their dependence, claims 3-5 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 04995/107001).

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Respectfully submitted,

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